



CITY OF CAMBRIDGE • EXECUTIVE DEPARTMENT

Robert W. Healy, City Manager

Richard C. Rossi, Deputy City Manager

February 25, 2002

To The Honorable, The City Council:

In response to Council Order No. 02-04, regarding a report on any legal decisions made with respect to 1979 Massachusetts Avenue in light of parking concerns by neighbors with respect to the new use of the property, Inspectional Services Commissioner Robert Bersani reports the following:

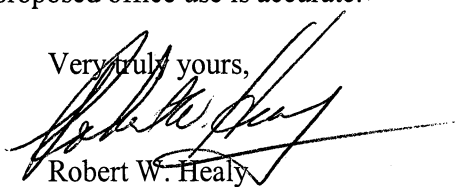
1979 Massachusetts Avenue was the location of the Long Funeral Home since the 1930s. The property has recently been sold and the new owner has stated that he intends to convert the building to an office use. The proposed office use is permitted as-of-right in the district. The issue of the amount of parking that would be required under the provisions of the Cambridge Zoning Ordinance was raised by concerned neighbors.

In determining the amount of parking required for a change in use, Sections 6.12(c) and 6.15 of Article 6.000 of the Cambridge Zoning Ordinance are applicable. Section 6.12(c) states that for structures constructed prior to the effective date of the parking provisions of the Zoning Ordinance (March 15, 1961) "...additional off street parking and loading facilities shall be required only to the extent that the required amount for the new use would exceed the amount required for the previous use if said previous use were subject to the schedule of parking and loading requirements...". Since the required amount of parking for the proposed office use, estimated to be 10 spaces, is less than the 15 spaces that would have been required for the funeral home use were it to be subject to the schedule of the parking requirements, there is no a requirement for any additional parking spaces.

Section 6.15 addresses existing parking spaces and requires that, even for properties built prior to the March 15, 1961 and hence not subject to the parking requirements, parking spaces established subsequent to the March 15, 1961 date cannot be reduced below the minimum required for the use by the parking provisions of the Zoning Ordinance. Although the St. John's Episcopal Church, located across Beech Street from the former Long Funeral Home provided occasional parking under a non-biding arrangement to the Funeral Home, it was determined that these could not be considered established parking spaces. Therefore, there is not a requirement to maintain any existing parking spaces. The end result was that this Department concurred in the zoning analysis by the proponent that concluded that no parking spaces would be required for the proposed office use.

It should be noted, that the owner has not yet submitted an application for a building permit or for a certificate of occupancy (CO) for the proposed office use. Prior to granting a building permit or a CO for the office use, ISD will require submission of detailed drawings and architects certifications in order to confirm that the 10 parking spaces estimated for the proposed office use is accurate.

Very truly yours,


Robert W. Healy
City Manager

5-57

Consent Agenda #6

Awaiting Report Item

Number 02-04, regarding a report on any legal decisions made with respect to 1979 Massachusetts Avenue as it relates to parking concerns by neighbors.

In City Council February 25, 2002

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